

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION

MELVIN BUTTS

PLAINTIFF

VS.

CAUSE NO. 2:05CV76-D-B

PROGRESSIVE INSURANCE COMPANY

DEFENDANT

AGREED ORDER OF DISMISSAL WITH PREJUDICE
AS TO CERTAIN CLAIMS

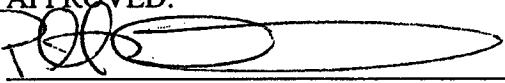
This matter came on for consideration by this Court of the joint application *ore tenus* of the plaintiff and defendant for dismissal with prejudice of certain claims asserted in the Complaint. In paragraphs 14 through 18 or "Count I" of the Complaint, plaintiff alleges that defendant Progressive acted in bad faith and willfully breached its contract of insurance with the plaintiff. This Court finds that there is no basis in law or fact to support the allegations of Count I of the Complaint, specifically those allegations referenced in paragraph 14 through 18 and the same shall be and are hereby dismissed with prejudice.

SO ORDERED AND ADJUDGED, this the 21st day of June, 2005.



U.S. DISTRICT COURT JUDGE

APPROVED:



PATRICK S. WOOTEN,
Attorney for Plaintiff



H. RICHMOND CULY, III,
Attorney for Defendant